



The Village of Biscayne Park

600 NE 114th St., Biscayne Park, FL 33161

Telephone: 305 899 8000 Facsimile: 305 891 7241

Minutes

**Regular Commission Meeting
Log Cabin - 640 NE 114th Street
Biscayne Park, FL 33161
Tuesday, June 04, 2019 at 7:00pm**

1 Call to Order

Mayor Tracy Truppman called the meeting to order at 7:00pm.

2 Roll Call

Mayor Tracy Truppman - present

Vice Mayor Johnson-Sardella - present

Commissioner Samaria - present

Commissioner Tudor - present

Commissioner Wise - present

Staff present:

Village Manager Krishan Manners

Village Attorney Rebecca Rodriguez

Village Clerk Roseann Prado

Sergeant of Arms: Officer Paul Eppler

Chief of Police Luis Cabrera

Public Works Manager David Hernandez

Police Officer Johnny Bryant

Recording: Cesar Hernandez

3 Pledge of Allegiance

4 Additions, Deletions or Withdrawals to the Agenda

- Commissioner Wise suggested to remove her Item 12.d from the agenda.
No objections. Item 12.d removed.
- Vice-Mayor Johnson-Sardella announced the need to step out for a house call and possibly return for the adjournment.
- Village Manager asked to remove Variance for Solar Panel, item 6.b from agenda because permit was approved and Variance fee being refunded to resident and issue a permit. No need for variance according to legal advice from Village Attorney.
Variance is now moot.

- Attorney Comments - Agenda Item 12.a - Village Attorney recommended State Attorney General's office legal advisory opinion first.
Mayor raised legal objection to item 12.a proceeding. Commissioner Johnson-Sardella moved to remove item 12.a from agenda in light of legal advice and first obtain a legal advisory opinion from State Attorney General's office. Commissioner Wise seconded. **Motion passed 3-1**. Commissioner Samaria opposed and Mayor Truppmann recused herself (Recusal Form 8B attached).
- Commissioner Wise moved to approve the agenda as amended. Vice-Mayor Johnson-Sardella seconded. **Motion passed 5 -0**.

5 Presentations

Vice-Mayor Nomination - Commissioner Johnson-Sardella motioned to nominate

- 5.a Commissioner Samaria as Vice-Mayor. Commissioner Tudor seconded. **Motion passed 5 - 0**.

- 5.b Finance Updates - It was consensus of Commissioners to authorize a draft of line of credit for emergencies with specifics for withdraws.

- 5.c Attorney Updates - FEMA

- Florida Department of Emergency Management issued a recommendation that all (3) three FEMA appeals be granted. Appeals now pending final decision from FEMA.

6 Quasi-Judicial Items

- 6.a Variance - Legalization of Shed & Pergola - 11390 NE 8 Ave - Continuation from 03/19/2019 and 05/07/2019 meetings.

The following persons spoke on the record regarding this Variance Request:

Marie-Emmanuelle Theard and

Gary Kuhl - Sworn in. Not direct neighbor

Janey Anderson - Sworn in. Not direct neighbor

Barbara Kuhl - Sworn in. Not direct neighbor

Chuck Ross - Sworn in. Not direct neighbor

Bob Anderson - Sworn in. Not direct neighbor

Rox Ross - Sworn in. Not direct neighbor

Dan Schneider - Sworn in. Not direct neighbor. Planning & Zoning member

Jared Susi - Sworn in. Not direct neighbor. Planning & Zoning board member

Commissioners voted to grant the **pergola** as follows:

Mayor Truppmann - Yes

Vice-Mayor Samaria - No

Commissioner Johnson-Sardella - Yes

Commissioner Tudor - Yes

Commissioner Wise - Yes

Vote was 4-1 (Vice-Mayor Samaria opposed) to grant the Variance for the pergola.

Regarding the utility **shed**, Commissioners voted as follows:

Mayor Truppmann - No (requirements 1, 2 & 4 not met)

Vice-Mayor Samaria - No (requirements 1, 2, 3 & 4 not met)

Commissioner Johnson-Sardella - No (requirements 1, 2 & 4 not met)

Commissioner Tudor - No (requirements 1, 2 & 4 not met)

Commissioner Wise - No (requirements 1, 2 & 4 not met)

Vote was 5 - 0 to NOT grant the Variance for the shed.

6.c Special Exception Request - Permit to keep chickens on property

643 NE 114th Street, Biscayne Park, FL 33161

The following persons spoke on the record regarding this Variance Request:

Orion Atchison Nevel - Owner of property

Bob Anderson - Sworn in. Not direct neighbor

Barbara Kuhl - Sworn in. Not direct neighbor

Gary Kuhl - Sworn in. Not direct neighbor

Linda Dillon - Sworn in. Not direct neighbor

Janey Anderson - Sworn in. Not direct neighbor

Rox Ross - Sworn in. Not direct neighbor

Chuck Ross - Sworn in. Not direct neighbor

David Raymond - Sworn in. Not direct neighbor

Mac Kennedy - Sworn in. Not direct neighbor

Commissioners voted to grant The Special Exception Request with the following conditions:

- Special Exception granted for the period of one (1) year. Expires automatically one calendar year from the date of this decision.
- Limit the number of hens to four (4) hens
- Vaccinations - must provide proof of vaccination within 60 days of decision on Special Exception inspected
- Inspections
- No roaming
- Pediatrician letter every year renewal
- No roosters

Grant with limitations was voted as follows:

Mayor Truppmann - Yes

Vice-Mayor Samaria - No

Commissioner Johnson-Sardella - Yes

Commissioner Tudor - Yes

Commissioner Wise - Yes

Vote was 4 - 1 (Vice-Mayor Samaria opposed) to allow the Special Exception with the conditions stated above.

6.b Variance - Solar Panel - 918 NE 119th Street - Continuation from 05/07/2019.

Owner Fred Jonas spoke on the record. Variance was not necessary according to legal advice and Village's approval of the permit prior to the meeting.

6 Public Comments Related to Agenda Items / Good & Welfare

Comments from the public relating to topics that are on the agenda, or other general topics.

The following persons spoke on the record:

Linda Dillon
Barbara Kuhl
Janey Anderson
Bob Anderson
Ernesto Oliva
MacDonald Kennedy
David Raymond
Gary Kuhl
Howard Goldman
Dan Schneiger
Rox Ross
Chuck Ross
Michael Redmond
Charlie Easton

7 Information / Updates

- 7.a** Rescheduled of Commission Meeting date from July 02, 2019 to Tuesday, July 09, 2019.

Vice-Mayor Samaria motioned to rescheduled the July Regular Commission Meeting the date to July 09, 2019. Commissioner Tudor seconded. **Motion passed 5 - 0.**

8 Consent Agenda

8.a Acceptance of Commission Minutes

- Executive Session May 07, 2019 6:30pm
- Regular Commission Meeting May 07, 2019 7:00pm

8.b Acceptance of Board Minutes

- Biscayne Park Foundation meeting February 11, 2019
- Public Art Advisory Board meeting April 10, 2019
- Parks & Parkway Advisory Board meeting March 21, 2019

Vice-Mayor Samaria motioned to approve Consent Agenda with the removal of Items on 8.a. Commissioner Tudor seconded. **Motion passed 5 - 0.**

9 Ordinances

None

10 Resolutions

10.a Resolution 2019-13 - Vehicle Surplus

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, DECLARING VILLAGE VEHICLE AS SURPLUS PROPERTY AND GRANTING THE VILLAGE MANAGER AUTHORIZATION TO SELL SAID SURPLUS THROUGH BIDERA AUCTIONS; PROVIDING FOR AN EFFECTIVE DATE.

Vice-Mayor Samaria motioned to approve Resolution No. 2019-13. Commissioner Johnson-Sardella seconded. **Motion passed 5 - 0.**

10.b Resolution 2019-14 - Agreement with IUPAT

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA AUTHORIZING THE MANAGER TO EXECUTE THE COLLECTIVE BARGAINING AGREEMENT EFFECTIVE OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2019, BETWEEN THE VILLAGE AND THE INTERNATIONAL UNION OF PAINTERS AND ALLIED TRADES; PROVIDING FOR AN EFFECTIVE DATE.

Johnny Rugano, Union representative for IUPAT spoke on the records.

Vice-Mayor Samaria motioned to approve Resolution No. 2019-14. Commissioner Wise seconded. **Motion passed 5 - 0.**

11 Old Business

11.a Approval of GRUBBS - Debris Removal Contract - RFP 2018-04.

Commissioners requested the contract to be brought on July Commission Meeting.

11.b Commission Meeting cancellation - by Vice-Mayor Samaria.

Item was withdrawn by Vice-Mayor Samaria.

11.c Workshop Communication of April 16, 2019 - by Vice-Mayor Samaria.

Item 11.c was moved to July Commission meeting.

12 New Business

12.a Discussion of Mayor - Change of Leadership - Removed from agenda by Commission vote during agenda approval.

12.b Establishment of Commission meeting procedures - by Commissioner Tudor - Continued to July Commission meeting.

12.c Charter Amendments - by Commissioner Tudor - Continued to July Commission meeting.

12.d Splash Pad Project discussion - Removed from agenda by sponsoring Commissioner Wise. To be revisited in later meeting.

13 Request for placement of items on next meeting agenda

- GRUBBS - Debris Removal contract - RFP 2018-04.
- Establishment of Commission meeting procedures - by Commissioner Tudor -
- Continuance on July Commission meeting.
- Charter Amendments - by Commissioner Tudor - Continuance on July Commission meeting.

14 Reports

14.a Village Attorney

14.b Village Manager

14.c Board / Committee Reports

14.d Mayor Truppman

Vice-Mayor Johnson-Sardella

Commissioner Dan Samaria

Commissioner Tudor

Commissioner Wise

15 Announcements

Code Compliance Board, June 10, 2019 7:00pm

Biscayne Park Foundation, June 10, 2019 7:00pm

Public Art Advisory Board, June 12, 2019 6:00pm

Planning & Zoning Advisory Board, June 17, 2019 6:30pm

Parks & Parkway Advisory Board, June 20, 2019 7:00pm

Public Safety Advisory Board, June 26, 2019 7:00pm

Planning & Zoning Advisory Board, June 30, 2019 6:30pm

Our next Regular Commission Meeting will be held on Tuesday, July 09, 2019

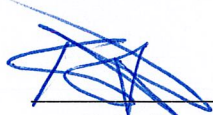
Our Village Departments will be closed Thursday, July 04, 2019 - Independence Day

16 Adjournment

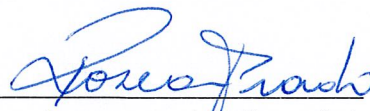
Commissioner Tudor motioned to adjourn and Commissioner Johnson-Sardella seconded. Meeting adjourned at 11:06pm.

Commission approved on July 09, 2019.

Attest:



Tracy Truppman, Mayor



Roseann Prado, Village Clerk

